

## **Remarks**

### **A. Status of the Claims**

Claim 1 is revised, non-limiting support for which can be found throughout the specification and claims as originally filed (*see, e.g.*, specification at page 3, lines 21-32). The dependencies to claims 19 and 39 are changed from cancelled claim 5 to claim 1. Claims 11, 28, 47, and 62-64 are cancelled.

Therefore, claims 1, 7-10, 12-22, 24-27, 29-46, and 48-61 are pending.

### **B. Objection to the Abstract**

A revised abstract is provided, which addresses the Examiner's concern about using the term "said." Additional revisions are also made to avoid any further issues with the Abstract.

### **C. Objection to Claims 19 and 39**

Claims 19 and 39 are revised to address the Examiner's concern about their dependency.

### **D. Obviousness Rejections**

Several obviousness rejections under 35 U.S.C. § 103(a) are presented against the pending claims. The following arguments are specific to independent claim 1, but equally apply to all of the dependent claims based on the legal axiom that if an independent claim is allowable over the cited art, then the dependent claims are necessarily allowable over the cited art.

The Examiner maintains that claim 1 is obvious over Nakazima in view of "the admitted prior art" and Bracher. Applicant respectfully disagrees, and believes that the arguments made in the previous response were sufficient to overcome this rejection.

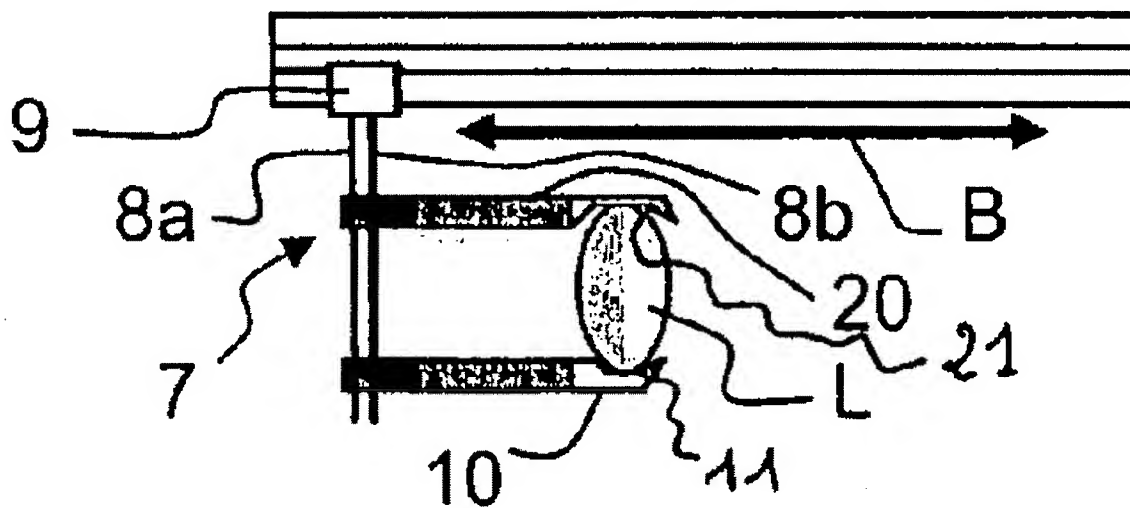
However, in an effort to secure prompt allowance, claim 1 is further revised to recite the following:

...wherein the optical lens is held only by the second end portions of the first and second arms with its optical axis orthogonal to the general plane of the lens holder

through one to two contact points between the lens periphery and each second end portions of the first and second arms.

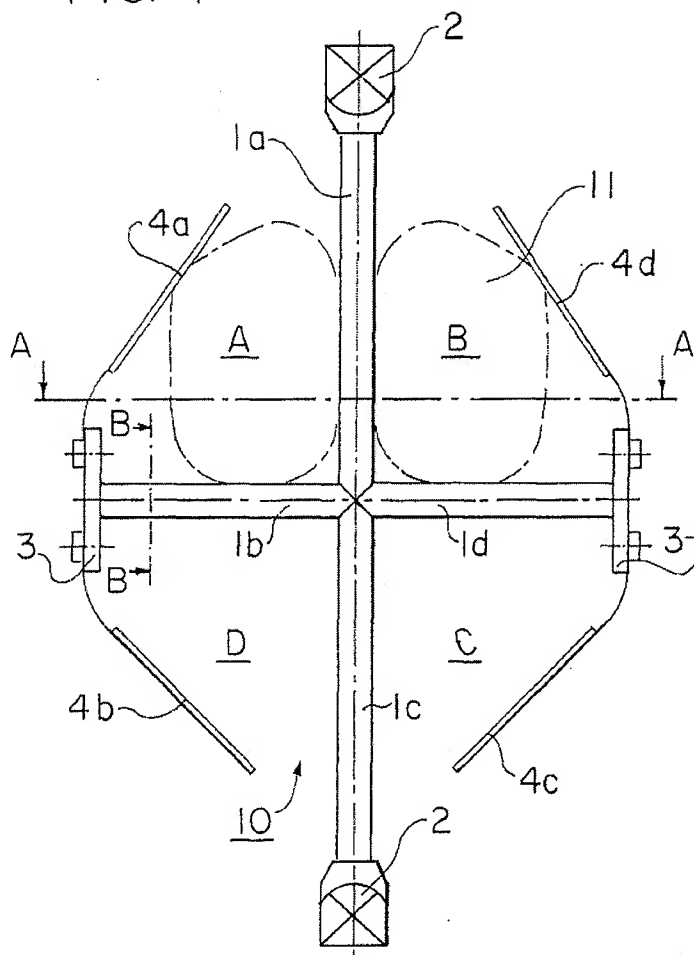
By comparison, neither of the lens holders disclosed in Nakazima or Bracher hold their respective lenses in such a manner.

For instance, Figure 1 of Applicant's specification provides a non-limiting embodiment, where a lens is held only by the first and second end portions of the arms **10** and **20**:



By comparison, the Examiner concedes that Nakazima fails to disclose a process where “the optical lens is carried by the same lens holder....” Action at page 4. The “admitted prior art” is not relied upon for the claimed lens holder limitation. *Id.* at page 5. As for Bracher, it discloses the following lens holder (Figure 1), where two rail elements **1a** and **1b** and one leaf spring member **4a** are needed to hold a single lens in place:

FIG. 1



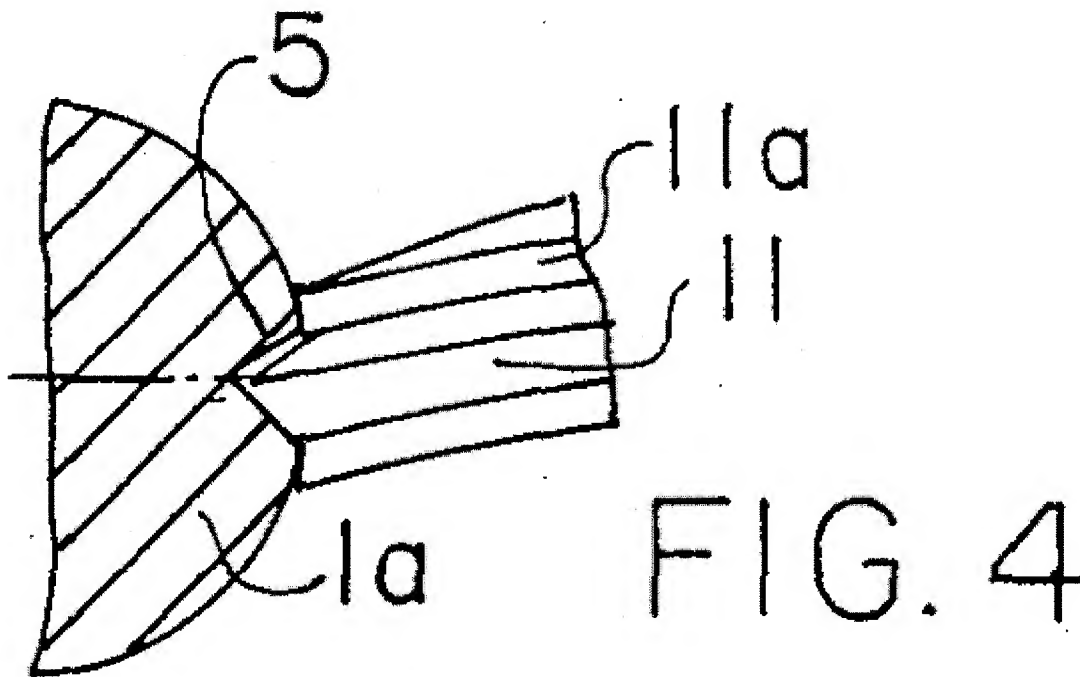
The above Figure 1 confirms that Bracher requires the use of three separate arm-like structures to hold a single lens in place.

Applicant respectfully submits that there is no apparent reason to modify the Bracher lens holder by removing any one of the three arm-like structures (*i.e.*, two rail elements **1a** and **1b** and one leaf spring member **4a**) to meet the claim 1 element of “wherein the optical lens is held only by the second end portions of the first and second arms.” Indeed, if the leaf spring member **4a** were to be removed, the lens A would simply fall out of the holder (see Figure 4). The same can be said if the rail elements **1a** or **1b** were to be removed. Further, removal of the rail elements **1a** or **1b** would destroy a primary function of the Bracher holder; that being a lens holder capable of

holding multiple lenses (see Abstract). The end result of any such modification to Bracher would either render the holder unsatisfactory for its intended purpose (to hold lenses) or change the principle operation of the lens (multiple lens holder). Such modifications are improper in the context of supporting the current obviousness rejection. See MPEP § 2143.01(V) and (VI).

Further, Applicant's claim 1 also recites that the lens is held in place "through one to two contact points between the lens periphery and each second end portions of the first and second arms."

By comparison, Figure 4 of Bracher suggests that the rail elements **1a**, **1b**, **1c**, and **1d** contact both the periphery of the lens and the faces of the V shaped rib of the lens. That is, both the periphery and the faces of the V-shaped rib of the lens are used to hold the lens in place. This is illustrated in Figure 4:



Applicant respectfully submits that there is no apparent reason to modify the rail elements **1a**, **1b**, **1c**, and **1d** to remove the V-shaped groove so as to obtain contact only between the lens periphery and the elements. Such a modification would destroy the very purpose of the

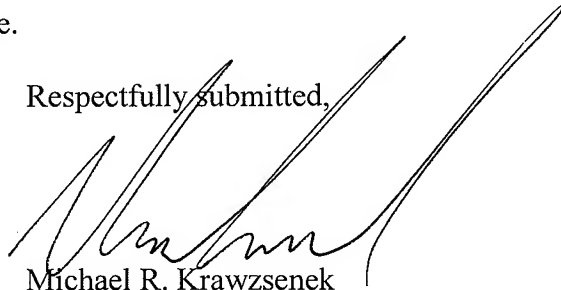
rail elements, that being “for retaining the [lens]”. Col. 1, lines 55-58. This is especially true given that the leaf spring members **4a**, **4b**, **4c**, and **4d** are designed to “urge the [lenses] into the grooves.” Col. 1, lines 60-61.

Applicant requests that all of the obviousness rejections be withdrawn for at least the above-stated reasons.

**E. Conclusion**

Applicant respectfully submits that all claims are in condition for allowance. The Examiner is invited to contact Applicant’s representative at (512) 536-3020 with any questions, comments, or suggestions concerning this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael R. Krawzsenek', written over the typed name and registration number.

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## **APPENDIX A**